

NINETY-NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 13CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Schimek, 27

Read first time January 11, 2005

Committee: Executive Board

1 THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA,
2 FIRST SESSION, RESOLVE THAT:

3 Section 1. At the general election in November 2006 the
4 following proposed amendment to the Constitution of Nebraska shall
5 be submitted to the electors of the State of Nebraska for approval
6 or rejection:

7 To amend Article III, sections 7 and 19:

8 III-7 At the general election to be held in November
9 1964, one-half the members of the Legislature, or as nearly thereto
10 as may be practicable, shall be elected for a term of four years
11 and the remainder for a term of two years, and thereafter all
12 members shall be elected for a term of four years, with the
13 manner of such election to be determined by the Legislature. When
14 the Legislature is redistricted, the members elected prior to
15 the redistricting shall continue in office, and the law providing
16 for such redistricting shall where necessary specify the newly

1 established district which they shall represent for the balance
2 of their term. Each member shall be nominated and elected in a
3 nonpartisan manner and without any indication on the ballot that
4 he or she is affiliated with or endorsed by any political party
5 or organization. ~~Each~~Until January 3, 2007, each member of the
6 Legislature shall receive a salary of not to exceed one thousand
7 dollars per month during the term of his or her office. Commencing
8 January 3, 2007, each member of the Legislature shall receive an
9 annual salary of twenty-four thousand dollars during the term of
10 his or her office which shall be adjusted beginning January 1,
11 2008, and every two years thereafter, by the average percentage pay
12 increase negotiated for members of the state employee collective
13 bargaining units for the prior fiscal year. In addition to his or
14 her salary, each member shall receive an amount equal to his or her
15 actual expenses in traveling by the most usual route once to and
16 returning from each regular or special session of the Legislature.
17 Members of the Legislature shall receive no pay nor perquisites
18 other than his or her salary and expenses, and employees of the
19 Legislature shall receive no compensation other than their salary
20 or per diem.

21 III-19 (1) The Legislature shall never grant any extra
22 compensation to any public officer, agent, or servant after the
23 services have been rendered nor to any contractor after the
24 contract has been entered into, except that retirement benefits of
25 retired public officers and employees may be adjusted to reflect

1 changes in the cost of living and wage levels that have occurred
2 subsequent to the date of retirement.

3 (2) The compensation of any public officer, including any
4 officer whose compensation is fixed by the Legislature, shall not
5 be increased or diminished during his or her term of office, except
6 that when there are members elected or appointed to ~~the Legislature~~
7 ~~or the judiciary,~~ or officers elected or appointed to a board
8 or commission having more than one member, and the terms of such
9 members commence and end at different times, the compensation of
10 all members ~~of the Legislature,~~ of the judiciary, or of such board
11 or commission may be increased or diminished at the beginning of
12 the full term of any member thereof.

13 (3) Nothing in this section shall prevent local governing
14 bodies from reviewing and adjusting vested pension benefits
15 periodically as prescribed by ordinance.

16 (4) The surviving spouse of any retired public officer,
17 agent, or servant, who has retired under a pension plan or system,
18 shall be considered as having pensionable status and shall be
19 entitled to the same benefits which may, at any time, be provided
20 for or available to spouses of other public officers, agents, or
21 servants who have retired under such pension plan or system at
22 a later date, and such benefits shall not be prohibited by the
23 restrictions of this section or of Article XIII, section 3 of ~~the~~
24 ~~Constitution of Nebraska~~ this Constitution.

25 Sec. 2. The proposed amendment shall be submitted to the

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1 electors in the manner prescribed by the Constitution of Nebraska,
2 Article XVI, section 1, with the following ballot language:

3 A constitutional amendment to change the salary of
4 members of the Legislature to twenty-four thousand
5 dollars per year and to provide for adjustments every
6 two years.

7 For

8 Against.